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Ares(2017) 3097890

MEP Marietje Schaake
Rue Wiertz 60
1047 Bruxelles

Dear Ms Schaake,

Thank you and the co-signatories for your letter of 09 May. I welcome your suggestion of action at EU level to avoid further fragmentation. As you are no doubt aware, the topic is currently debated at the highest level, as the conclusions of the G7 meeting end of May or the current discussions between UK and France leaders on liability for terrorist content.

In the Mid-Term Review on the implementation of the Digital Single Market Strategy (COM(2017)228 final), the Commission recognises – as you do in your letter – that when fighting illegal content online, fundamental rights, such as freedom of speech, must be safeguarded and innovation needs to be encouraged.

The Commission also restated its commitment to maintain a balanced and predictable liability regime for online platforms and to pursue a sectoral, problem-driven approach, but undertook as a first step to ensure that these ongoing sector-specific initiatives build a coherent and consistent framework, in line with the E-commerce Directive and existing EU Law.

During its assessment of the need for formal, EU-wide notice-and-action mechanisms for illegal content, the Commission has for now identified the need to provide further guidance on procedural aspects and principles on removal of illegal content, as well as separate guidance to incentivise platforms to take more effective pro-active measures to identify and remove illegal content. Concrete results are expected before the end of 2017.

We look forward to continue to engage constructively with the European Parliament on these matters.

Yours sincerely,


Andrus ANSIP